

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

ROBERT SUITS, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 3:16-cv-05476 JCC JRC

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (Dkt. 17).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the

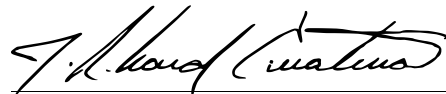
1 Acting Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative  
2 proceedings, including the following actions:

- 3 • The ALJ will conduct a new hearing, develop further the record as needed, and issue a  
4 new decision;
- 5 • The ALJ will reevaluate the medical evidence or record;
- 6 • The ALJ will reevaluate steps two and three of the sequential evaluation process;
- 7 • The ALJ will reevaluate plaintiff's credibility pursuant to SSR 16-3p;
- 8 • The ALJ will reevaluate plaintiff's RFC and;
- 9 • The ALJ will reevaluate steps four and five of the sequential evaluation process with the  
10 assistance of a vocational expert, as necessary.

11 Following proper presentation, the Court should consider plaintiff's application for costs  
12 and attorney's fees under 28 U.S.C. § 2412(d).

13 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
14 immediately approve this Report and Recommendation and order the case be **REVERSED** and  
15 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

16 Dated this 7th day of December, 2016.

17 

18 J. Richard Creatura  
19 United States Magistrate Judge